

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ACADEMY OF ALLERGY & ASTHMA IN
PRIMARY CARE AND UNITED
BIOLOGICS, LLC D/B/A UNITED
ALLERGY SERVICES

Plaintiffs,

v.
ALLERGY AND ASTHMA
NETWORK/MOTHERS OF ASTHMATICS,
INC.; TONYA WINDERS; PHADIA US
INC.; & THERMO FISHER SCIENTIFIC
INC.

Defendants.

[illegible]

Civil Action No. 5:14-CV-35-OLG

PLAINTIFF UAS'S DESIGNATION OF TESTIFYING EXPERTS

Pursuant to the Court’s Scheduling Orders (Dkt. No. 208, 246), and by agreement of the parties, Plaintiff United Biologics, LLC d/b/a United Allergy Services (“UAS”) hereby files this designation of testifying experts who may testify concerning Phadia US Inc. and/or Thermo Fisher Scientific Inc.’s (“Phadia”) claims for affirmative relief.

Concurrent with this filing, Plaintiffs are serving on Phadia, but will not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B). Plaintiffs' identification of testifying experts is as follows:

Kevin McAnaney
The Law Office of Kevin G. McAnaney
250 Riverside Dr., Apt 71
New York, NY 10025
(240) 620-5449

Mr. McAnaney is expected to express the opinion described in his report and may provide analysis of the opinions and conclusions drawn by Phadia's expert Wendy Weiss. The basis and reasons for Mr. McAnaney's opinions and the data and other information considered

by Mr. McAnaney in forming those opinions are also described in the served report. Mr. McAnaney's qualifications, including a list of all publications authored in the previous 10 years, as well as a list of all other cases in which Mr. McAnaney has testified as an expert at trial or by deposition during the previous 4 years, are also included in the report. The compensation to be paid for Mr. McAnaney's work and testimony is described in the report.

Casey Low
Dillon J. Ferguson
Pillsbury, Winthrop, Shaw, & Pittman, LLP
401 Congress Ave., Suite 1700
Austin, TX 78701
(512) 580-9600

Mr. Low and Mr. Ferguson may testify regarding the reasonableness of any party's claims for attorneys' fees and expenses in connection with this litigation. Mr. Low and Mr. Ferguson will testify on the basis of their experience, education, and training, their knowledge of the instant litigation, their knowledge of the market for legal services in the relevant specialties and geographic area(s), and any evidence which may be presented in connection with Plaintiffs' claims for attorneys' fees and expenses.

This description of UAS's expert's expected testimony is intended to be general, not exhaustive. All designated experts may testify in rebuttal to evidence and testimony presented by Defendants/Counter-Plaintiffs and any of their witnesses. In addition, it is anticipated that some fact witnesses not retained or specially employed for the purpose of rendering expert testimony on behalf of UAS may give testimony in the nature of an opinion or a combination of fact and opinion testimony in their respective disciplines, and that such testimony would be based on their education, experience, and training.

Dated: June 8, 2016

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Casey Low

Casey Low

Texas Bar No. 24041363

Dillon Ferguson

Texas Bar No. 06911700

Benjamin Bernell

Texas Bar No. 24059451

Elizabeth Kozlow Marcum

Texas Bar No. 24078801

Matthew K. Gates

Texas Bar No. 24069770

401 Congress Ave., Suite 1700

Austin, Texas 78701

Phone: (512) 580-9600

Fax: (512) 580-9601

casey.low@pillsburylaw.com

Dillon.ferguson@pillsburylaw.com

ben.bernell@pillsburylaw.com

liz.marcum@pillsburylaw.com

matt.gates@pillsburylaw.com

CERTIFICATE OF SERVICE

I certify that the foregoing document was served upon all counsel of record via the Court's CM/ECF electronic filing system in accordance with the Federal Rules of Civil

Procedure on Dated: June 8, 2016

/s/ Casey Low

Casey Low